

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America,

Plaintiff,

v.

ANTONIO PINUELA TESTA AND
ROBERT ROSALES RIVERO,

Case No. 1:25-mj-30011

Judge: Morris, Patricia T.

Filed: 01-16-2025

Defendant(s).

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief:

On or about the date(s) of September 2024 to October 2024, in the county of Midland and elsewhere
in the Eastern District of Michigan, the defendant(s) violated:

Code Section

18 U.S.C. 371 and 2113(b)

Offense Description

conspired to commit bank theft and have committed bank theft

This criminal complaint is based on these facts:

Please see the attached affidavit.



Continued on the attached sheet.



Complainant's signature

Randal Cummings, Special Agent - HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: January 16, 2025



Judge's signature

City and state: Bay City, Michigan

Patricia T. Morris, United States Magistrate

Printed name and title

Judge

Affidavit in Support of Criminal Complaint
United States v. Geniver Antonio Pinuela Testa & Robert Rosales Rivero

I, Randal Cummings, being first duly sworn, state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a criminal complaint charging Geniver Antonio Pinuela Testa (Testa) and Robert Rosales Rivero (Rivero) with a conspiracy to commit bank theft and bank theft in violation of 18 U.S.C. § § 371 and 2113(b).

2. Beginning about September 2024 and continuing until at least the end of October 2024, in the Eastern District of Michigan and elsewhere, Testa, Rivero and others conspired and agreed to take and carry away with intent to steal, money exceeding \$1,000 belonging to and in the care, custody, control, management and possession of financial institutions including but not limited to Isabella Bank and Lakeview Bank. In furthermore of the conspiracy and to affect the object of the conspiracy overt acts as described herein were committed in the Eastern District of Michigan and elsewhere.

3. I am a Special Agent with Homeland Security Investigations ("HSI"), of the United States Department of Homeland Security ("DHS"). I have been employed as a Special Agent with HSI since August 2010 and am currently assigned to the Special Agent in Charge ("SAC"), Office of Investigations, in

Detroit, Michigan. I have successfully completed the Criminal Investigator Training Program and the HSI Special Agent Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. I was previously employed from September 2005 through August 2010 with the U.S. Department of Labor - Office of Labor-Management Standards as a Lead Criminal Investigator. Since December 2014, I have been a member of the U.S. Secret Service led Southeast Michigan Cyber Fraud Task Force and have investigated federal criminal violations of bank fraud, wire fraud, access device fraud, identity theft, child exploitation, and human trafficking.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, detectives, and witnesses, both in person and in documentary form. This affidavit does not contain every fact that I have learned during the investigation, but instead includes only those facts I believe establish the requisite probable cause in support of a criminal complaint against Testa and Rivero.

5. Beginning sometime around September 2024, and continuing at least until about October 2024, financial institutions within the Eastern District of Michigan and elsewhere had become victims of an automated teller machine (ATM) scheme known as “ATM Jackpotting.” ATM Jackpotting involves

removing an ATM's cover with a key, manipulating the sensors on the ATM so the machine thinks the cover is closed, and infecting the ATM's hard drive with malware, which allows the operator to assume control of the ATM and cause it to dispense currency.

6. The general scheme employed by the co-conspirators in this investigation involved the participants working as a team and typically using electric scooters to approach the affected ATM's. One individual approaches the ATM and opens the top of the ATM with a key. He would hold it open just enough to glue the sensors in place preventing the alarm from triggering and overriding the administrative functions of the ATM. He then leaves the machine to allow the glue to set. An individual returns and opens the top half of the ATM and either swaps out the hard drive or inserts a device to corrupt the machine and then installs a communication device. This person leaves the ATM area. An individual then arrives with a cell phone in one hand and a keyboard in the other. This individual clicks on the screen uses the keyboard to instruct the machine to dispense cash. Once cash is dispensed from the ATM, the individual leaves the ATM area. The first individual returns to the ATM to remove the communication device and/or to replace the ATM's hard drive.

THE FINANCIAL INSTITUTIONS

7. Summarized below are the results of the investigation revealing that **Testa** and **Rivero** successfully completed the ATM Jackpotting scheme at Isabella Bank branches located in Nottawa Township, Michigan; Barryton, Michigan; Midland Michigan; and Clare, Michigan in the Eastern District of Michigan. Testa and Rivero also executed the scheme at the Lakeview Bank in Minnesota.

8. Isabella Bank (Michigan) and Lakeview Bank (Minnesota) are financial institutions with deposits insured by the Federal Deposit Insurance Corporation (FDIC). The FDIC is an independent agency of the United States Government that protects the funds depositors place in banks and savings associations.

BANK THEFT ISABELLA BANK BRANCHES IN MICHIGAN

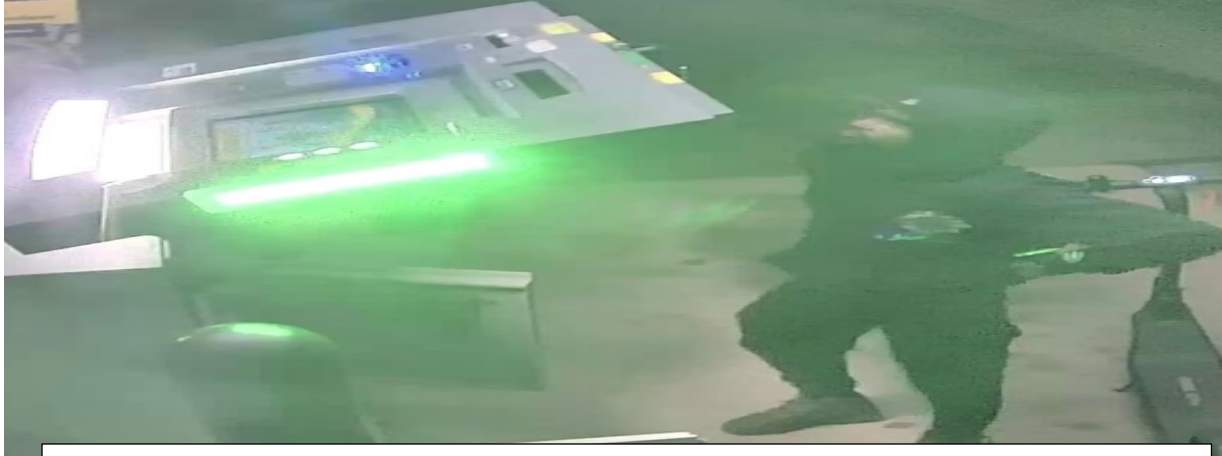
9. Isabella Bank Fraud Specialist Danielle Galanos and Vice President of Branch Operations Administrator Rob MacLeod provided information and video surveillance that on or about September 22, 2024, at least two individuals successfully executed a scheme known as ATM Jackpotting at four Isabella Bank branch locations in Michigan. The total loss to the bank is approximately **\$107,635.**

10. The first bank was compromised at approximately 1:00 am in Nottawa Township, Michigan. The second bank was compromised at about 12:19 pm in Barryton, Michigan. The suspects then went to Midland, Michigan, and executed the scheme beginning about 5:45 pm. And finally, at 8:09 pm the suspects attacked the bank branch in Clare, Michigan.

11. I reviewed ATM video surveillance captured during the execution of the scheme at all four Isabella Bank branches. The review disclosed that one of the individuals wore a black hooded sweatshirt which with a distinctive emblem, which can be described as a waning crescent moon design on the upper left chest area of the sweatshirt and it is seen at all four locations. He also wore a dark blue or black baseball hat with “LA” on the front and black gloves at three (3) of the four (4) branch locations. The Barryton branch video surveillance shows him wearing a dark blue or black baseball hat; however, the front of the hat was not visible, nor were his hands. Midland Branch video surveillance captured an image of the back of his hooded sweatshirt which had the emblem of a waning crescent moon design, matching the emblem on the front, covering the entire back of the sweatshirt with “LA LUNE” written at the bottom. A second individual was seen wearing various hats during the execution of the scheme and a surgical mask; however, the review disclosed that this individual wore the same dark blue hooded sweatshirt with a white Under Armour logo in the upper middle of the sweatshirt at

three (3) of the four (4) locations. The images captured by video surveillance at the Isabelle Bank Clare Branch were black and white, so the color of his hooded sweatshirt was not able to be identified.

12. A review of video surveillance and information provided by Isabella Bank fraud investigators disclosed the process of how the ATMs were accessed. I was informed that the scheme involved at least two individuals, who accessed Isabella Bank branch ATMs at different times throughout the day. Isabella Bank fraud investigators believed that the first individual opened the top of the ATM with a key just enough to access and hold down the sensors which would trigger the alarm and override the administrative functions on the ATM. This individual is believed to have then glued the sensors in place so the machine would think the hood of the ATM was closed. This individual then left the ATM for a few minutes to allow the glue to set. Upon returning he opened the top half of the ATM and either swapped out the ATMs hard drive or corrupted the ATM with an unknown device. The unknown individual then installed a communication device before departing the area.



Isabella Bank, Beal City Branch ATM surveillance footage on September 22, 2024

13. The second individual then arrived with a cell phone in one hand and a keyboard in the other. (Pictured below.) The individual made a few clicks on the screen then appeared to use a black handheld device with pushbutton features to instruct the ATM to dispense cash without leaving any evidence that the ATM had



Isabella Bank, Beal City Branch ATM surveillance footage on September 22, 2024

14. Approximately 10-15 minutes later the first individual returned and opened the top of the ATM to remove the communication device, and/or to possibly replace the hard drive. Isabella Bank fraud investigators stated that both suspects approached the ATM on a black electric scooter, attempted to conceal their identity with surgical masks, and executed the same ATM Jackpotting scheme at all four of their locations.

15. After reviewing the video footage, it was determined that the black electric scooter used by the individuals when executing the ATM Jackpotting scheme was found to be a Ninebot E2 Pro through the review of video footage provided by Isabella Bank.

IDENTIFICATION OF TESTA

16. Video footage from the Isabella Bank Clare North Branch ATM location was obtained by Michigan State Police and showed the exposed face of one suspect. Using facial recognition techniques, U.S. Border Patrol Agent Tim McKee was able to obtain a possible match for Testa.

17. Further investigation of Testa by U.S. Border Patrol Agent McKee disclosed that Testa is a citizen of Venezuela who entered the United States on August 26, 2022. He listed the phone number (305) 336-4713 as his contact

number when issued an employment authorization card on February 8, 2024. Testa is currently residing in the United States under temporary protected status.

18. U.S. Border Patrol Agent McKee conducted an open-source data search on Testa and identified a court case out of St. Croix County, Wisconsin, for a traffic offense that occurred on September 21, 2024. The court records revealed that Testa was cited by Wisconsin State Police for driving 20 miles per hour over the speed limit and released. Testa was driving a 2011 Toyota Yaris bearing Florida license plate RVVF79. Law Enforcement database search of license plate RVVF79 disclosed that it was registered to Testa with an address of 9621 Fountainebleau Blvd, Apartment #2, Miami, Florida 33172.

19. A silver four-door sedan matching the description of a Toyota Yaris with tinted windows was seen on video surveillance in Barryton, Michigan, at approximately 11:33 a.m., on September 22, 2024. This was about the time that the Isabella Bank was compromised.

20. Michigan State Police Detective Sergeant Lucha located a Facebook account for Testa through an open-source social media account search. His primary profile picture was of Testa in a black hooded sweatshirt with an emblem on the upper left chest, which matches the distinctive waning crescent moon emblem on the black hooded sweatshirt worn by the suspect on the ATM

surveillance video provided by Isabella Bank during the execution of the ATM Jackpotting scheme.

21. Michigan State Police obtained cell tower data search warrant for the cellphone number (305) 336-4713 belonging to Testa. Search warrant return results showed the cellphone in the proximity of 2222 N. Saginaw Road, Midland, Michigan, during the time of the ATM Theft that occurred on September 22, 2024, at approximately 5:45 p.m., at Isabella Bank, 2222 N. Saginaw Road, Midland, Michigan.

BANK THEFT AT LAKEVIEW BANK IN MINNESOTA

22. On October 7, 2024, the Lakeville (Minnesota) Police Department was contacted by the Lakeview Bank regarding an ATM Jackpotting incident that occurred on October 6, 2024, where approximately **\$14,400** was stolen from the ATM.

23. Lakeview Bank provided information that the suspects had used a barrel key to open the doors of the ATM. From the video surveillance it appears that the suspects superglued the two white interlock switches, so the machine thought the hood of the machine was closed and didn't limit the ATMs operations. The suspects then accessed the hard drive with malware which allowed it to

dispense money without detection. Video surveillance provided by Lakeview Bank disclosed that the suspects were seen around the bank on electric scooters.

ARREST OF TESTA AND RIVERO BY LAW ENFORCEMENT IN

MINNESOTA

24. On or about October 11, 2024, a license plate reader database used by law enforcement to locate and track the movement of suspect vehicles disclosed a positive identification hit of the vehicle bearing Florida license plate RVVF79 registered to **Testa** located in the parking lot of a Super 8 Hotel in Shakopee, Minnesota.

25. Michigan State Police Detective Sergeant Lucha contacted the Shakopee (Minnesota) Police Department and the Minnesota State Patrol and informed them that the same vehicle was believed to be used in “Jackpotting” incidents in Michigan.

26. Officers of the Minnesota State Patrol conducted surveillance at the Super 8 Hotel they observed two males enter the vehicle and drive away. Minnesota State Patrol conducted a traffic stop on the vehicle. During the traffic stop officers observed an electric scooter, in plain view, in the back seat of the vehicle. The scooter was like the one used by the suspects to compromise the ATM machines at banks in Michigan and Minnesota.

27. The individuals in the vehicle were identified as Geniver Antonio Pinuela Testa by a Florida temporary learner's license identification card and Robert R. Rosales Rivero by a United States Employment Authorization card, which expired on January 18, 2024. The 2011 Toyota Yaris bearing Florida license plate RVVF79 registered to Testa was towed to the Lakeville Police Department.

28. On October 11, 2024, the Lakeville Police Department obtained a state search warrant for the 2011 Toyota Yaris bearing Florida license plate RVVF79 registered to **Testa**. The items seized consisted of, but were not limited to, a black Ninebot E2 Pro scooter, Gorilla brand superglue, clothing, shoes, hat(s), a black/silver "SMART" barrel key, a silver barrel key on a keyring with a silver key, receipts, cellphone, laptop computer, and a black handheld device with pushbutton features.

29. I reviewed images of items seized from Testa's vehicle by the Lakeville Police Department. Located in the vehicle was the same black hooded sweatshirt with the matching waning crescent moon emblem on the front and back and the word "La Lune" at the bottom of the sweatshirt. This sweatshirt is identical to the one worn by an individual at the Isabella Banks that were compromised. Also seized were black gloves, and a black baseball hat with "LA" on the front like the one seen worn by Testa on video surveillance footage provided by Isabella

Bank in Michigan. A black handheld device with pushbutton features, like the device seen on video surveillance footage provided by Isabella Bank being used during the ATM Jackpotting incidents at their Michigan branches was also seized.

30. Lakeville Police Department seized a pair of high-top shoes with four Velcro straps that appear to be dark green in color from Testa's vehicle. Video surveillance provided by Isabella Bank, Michigan, of the ATM Jackpotting that occurred on September 22, 2024, at the Midland West Branch showed the individual identified as Testa accessing the machine wearing what appears to be the same dark green high-top shoes with four Velcro straps. Testa is also standing next to a black Ninebot E2 Pro electric scooter during the incident.

31. I reviewed receipts found in Testa's Vehicle. A receipt timeline summary of the suspects whereabouts is provided below:

- a. 10/01/2024 – Foot Locker, Detroit, Michigan
- b. 10/04/2024 – Western Union Walmart, Livonia, Michigan
- c. 10/04/2024 – AutoZone, Redford, Michigan
- d. 10/04/2024 – Shell, Edgerton, Wisconsin
- e. 10/05/2024 – TA Hudson, Hudson, Wisconsin
- f. 10/05/2024 – HyVee, Lakeville, Minnesota
- g. 10/06/2024 – Kwik Trip, Owatonna, Minnesota
- h. 10/07/2024 – Speedway, Shakopee, Minnesota
- i. 10/08/2024 – Speedway, Lakeville, Minnesota
- j. 10/09/2024 – Speedway, Shakopee, Minnesota

32. On October 11, 2024, the Shakopee Police Department learned that Room #106 at the Super 8 Hotel was rented to Testa and one guest beginning on October 5, 2024, with a check-out date of October 12, 2024. Testa paid cash for the room and provided an address of 9621 Fountainbleau, Doral, Florida, the same address where Testa's vehicle was registered. The phone number provided matched the cell phone number of the phone seized from Testa at the time of his arrest by Lakeville Police Department. Officers also confirmed Testa and Rivero stayed at the Super 8 Hotel through surveillance video provided by Super 8.

33. The execution of the search warrant for Super 8 Hotel, Room 106, obtained by the Shakopee Police Department resulted in the seizure of \$7,900 in U.S. currency, various receipts, social security card (work authorization only) for Testa, Florida vehicle registration belonging to Testa, a paper copy of Rivero's Venezuelan passport, purple latex gloves, electronics and cords, Netac flash drive, and a Western Digital hard drive. The denominations of the \$7,900 recovered from Room 106 was 38 \$100 bills and 105 \$20 bills. A Western Union receipt dated September 25, 2024, from Walmart in Livonia, Michigan, was also found during the search of Room 106.

34. A State of Michigan search warrant was executed for the contents of the cellphones of Testa and Rivero seized by the Lakeville Police Department on October 11, 2024.

FORENSIC EXAMINATION REVIEW OF TESTA'S CELLPHONE

35. I conducted a search of images contained on Testa's cellphone to locate photos taken by Testa around the timeframe of the ATM Jackpotting incidents at Isabella Bank branches in Michigan, that occurred on September 22, 2024. I also reviewed the available stored geographical location(s) Metadata captured on Testa's cellphone when the photo was taken and used open-source data to determine where the device was at the time an image was created. Based on my review, I determine the following:

a. On September 21, 2024, at approximately 11:03 p.m., two images were created on Testa's cellphone. The first image was of a monitor displaying ATM Status information and communication functions for a Hyosung TNS. The second image was the inside of the ATM machine with a monitor displaying the ATM Status screen. The images were captured three (3) seconds apart. The geo-location captured by the device Metadata provided a Latitude/Longitude: 43.825180 / -84.768806 and 43.825169 / -84.768837, respectively. An open-source database search of the geo-location disclosed the images were created at Isabella Bank, Drive-Thru ATM, 1125 N. McEwan Street, Clare, Michigan.

b. On September 22, 2024, an image was created of a screenshot showing ATM status and communication information. The geo-location captured by

the device Metadata provided a Latitude/Longitude: 43.667738 / -

84.908012. An open-source database search of the geo-location disclosed the image was created at Isabella Bank, Beal City Branch on N. Winn Rd, Nottawa Township, Michigan.

c. On September 22, 2024, an image was created of a screenshot showing ATM status and communication information on a Hyosung ATM. The geo-location captured by the device Metadata provided a Latitude/Longitude: 43.641563 / -84.253906. An open-source database search of the geo-location disclosed the image was created at Isabella Bank, Midland West Branch on N. Saginaw Rd, Midland, Michigan.

d. On Testa's cellphone I found an image of a male sitting at a desk in a hotel room holding a large amount of cash over his face with stacks of cash sitting on the desk next to him. The male was wearing what appears to be the same hooded sweatshirt with a waning crescent moon emblem on the upper left chest as seen in video surveillance footage provided by Isabella Bank. He was also wearing a white baseball hat with what appears to be a gold embroidered bull with white horns on the front of the hat. The image was created on September 22, 2024. Geo-location captured by the device Metadata provided a Latitude/Longitude: 43.577161 / -84.766420. An open-

source database search of the geo-location disclosed the image was created at the Super 8 by Wyndham in Mt. Pleasant, Michigan. I also located a photo on Testa's cellphone of him wearing a white baseball hat with a gold embroidered bull with white horns on the front of the hat, matching the hat the male was wearing at the Super 8 Hotel in Mt. Pleasant, Michigan, at the time of the photo. Copies of the images are reproduced below.



Super 8 Hotel Mt. Pleasant, Michigan



Image recovered from Testa's cellphone

36. I conducted a search of images contained on Testa's cellphone for activity in Minnesota from or around October 6, 2024. I also reviewed the available stored geographical location(s) Metadata captured on Testa's cellphone at the time the photo was taken and used open-source data to determine where the device was at the time an image was created. I was able to determine that on October 6, 2024, an image was created of a screenshot showing a photo being

taken through the window of a car of what appears to be Lakeview Bank in Lakeville, Minnesota. The geo-location captured by the device Metadata provided a Latitude/Longitude: 44.713408 / -93.263559. An open-source database search of the geo-location disclosed the image was created around Lakeview Bank on 163rd Street W, Lakeville, Minnesota.

37. I conducted a search of images contained on Rivero's cellphone to locate photos taken by **Rivero** around the timeframe of the ATM Jackpotting incidents at Isabella Bank branches in Michigan, that occurred on September 22, 2024. I also reviewed the available stored geographical location(s) Metadata captured on Rivero's cellphone when the photo was taken and used open-source data to determine where the device was at the time an image was created. I found the following information.

a. The same image located on Testa's phone referenced above was recovered showing an individual sitting at a desk in a hotel room holding a large amount of cash over his face with stacks of cash sitting on the desk next to him. The image was captured on September 22, 2024. Geo-location captured by the device Metadata provided Latitude/Longitude: 43.577161 / -84.766420. An open-source database search of the geo-location disclosed the image was created at the Super 8 by Wyndham in Mt. Pleasant, Michigan.

b. On September 22, 2024, at the Super 8 by Wyndham in Mt. Pleasant, Michigan, a similar image was captured showing an individual sitting at a desk in a hotel room holding a large amount of cash over his face with stacks of cash sitting on the desk next to him. The individual in this photo was wearing a black hooded sweatshirt and all white Nike low-cut shoes. An image captured on September 20, 2024, of Rivero shows him wearing what appears to be the same all white Nike low-cut shoes.

c. On September 22, 2024, an image was created where Rivero's cellphone took a photo while driving on the Freeway of the exit sign for Exit 144 Business 127 to Mt. Pleasant.

d. On September 22, 2024, an image was created of an unknown individual standing at an ATM machine. The geo-location captured by the device Metadata provided a Latitude/Longitude: 43.580177, -84.767084. An open-source database search of the geo-location disclosed the image was created at an Isabella Bank Branch location on Old U.S. 27 in Mt Pleasant, Michigan. This Isabella Bank branch location was not involved in the ATM Jackpotting scheme; however, through my training and experience I am aware that individuals involved in criminal activity usually conduct surveillance prior to executing said activity.

38. On September 22, 2024, an image was created of a sign for the Blue Bar. The geo-location captured by the device Metadata provided a Latitude/Longitude: 43.669188 / -84.908837. An open-source database search of the geo-location disclosed the image was created at the corner of W. Beal City Road and N. Winn Road, in Michigan. The Blue Bar & Restaurant is located at 1981 N. Winn Road, Mt. Pleasant, Michigan, on the corner of W. Beal City Road and N. Winn Road.

39. Michigan State Police Detective Sergeant Lucha obtained video surveillance from the Blue Bar & Restaurant for the night of September 22, 2024. A review of the video disclosed that the two individuals seen at the bar around 1:10 a.m., were the individuals who executed the ATM Jackpotting scheme at four Isabella Bank branch locations in Michigan. The video shows two individuals approach the bar and order drinks. The first individual was wearing the same black hooded sweatshirt with the same waning crescent moon emblem on the front left chest and the back of the hoodie. He was also wearing a white baseball hat with what appears to be a gold embroidered bull on the front like the hat seen in the image on **Testa** and **Rivero**'s cellphones of a male holding a large amount of cash at the Super 8 Hotel in Mt. Pleasant, Michigan, referenced above. The other individual was wearing a dark blue hooded sweatshirt with a white Under Armour

logo on the front upper middle part of the sweatshirt. The two individuals were at the bar for approximately 12 minutes.

40. I conducted a search of images contained on Rivero's cellphone for activity captured in Minnesota from on or about October 6, 2024. I also reviewed the available stored geographical location(s) data captured on Rivero's cellphone and used open-source data to determine where the device was at the time an image was created.

41. On October 7, 2024, images were created of two individuals in what appears to be a hotel room where one person was holding three rubber-banded stacks of cash in his hand. The geo-location device Metadata did not capture a Longitude/Latitude of where the photos were taken.

CONCLUSION

42. Based upon the above information, I respectfully submit that there is probable cause to believe that Testa and Rivero have conspired to commit bank theft and have committed bank theft in violation of 18 U.S.C. 371 and 2113(b), in the Eastern District of Michigan.

Respectfully submitted,



Randal Cummings

Special Agent

U.S. Department of Homeland Security

Subscribed and sworn before me or
by reliable electronic means on January 16, 2025, 2025.



Patricia T. Morris

United States Magistrate Judge